

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

BRINKS GLOBAL SERVICES USA, INC.,

Plaintiff,

-against-

BONITA PEARL INC., FORTY-SEVENTH
& FIFTH, INC., HAWAIIAN DESIGN
JEWELRY, CO., KIMIMOTO JEWELRY,
LAMS JADE CENTER, INC., LEES
INTERNATIONAL JEWELRY INC., PAN
LOVELY JEWELRY, PETRI GEMS. INC.,
S & N DIAMOND CORP., SUPREME
COLLECTION CORPORATION, and
TREASURE CONNECTION FINE
JEWELRY, INC.

Defendants,

ORDER

22 Civ. 6653 (PGG)

PAUL G. GARDEPHE, U.S.D.J.:

Pending before this Court are:

- (1) Defendants' motion to dismiss (Dkt. No. 98);
- (2) pre-motion letters concerning Plaintiff's proposed motion for summary judgment (Dkt. Nos. 150, 152, 154); and
- (3) Plaintiff's letter motion to seal certain documents and deposition testimony, attached to Defendants' May 1, 2023 letter. (Dkt. No. 155)

For the reasons stated in today's telephone conference, the Defendants' motion to dismiss is denied.

As to the pre-motion letter regarding Brink's proposed motion for summary judgment (Dkt. No. 150), briefing concerning that motion will proceed on the following schedule:

- (1) Brinks' motion is due by **March 21, 2024**;
- (2) Defendants' opposition is due by **April 10, 2024**; and
- (3) Brinks' reply, if any, is due by **April 17, 2024**.


Under Rule IV(C) of this Court's individual rules – the “bundling rule” – the parties may not file motions electronically on ECF until the motion is fully briefed.

The parties are directed to file on the public docket, by **March 5, 2024**, versions of the currently sealed exhibits that are in compliance with this Court's bench ruling. As to the materials that are the subject of Brink's sealing application (Dkt. No. 155), Rule 56.1 statements should likewise reflect only those redactions that have been authorized by the Court.

The Clerk of Court is directed to terminate the motions (Dkt. Nos. 98, 150, 155).

Dated: New York, New York
February 28, 2024

SO ORDERED.



Paul G. Gardephe
United States District Judge